

### *Remarks*

Initially, Applicants wish to thank Examiner Chang for the courtesies extended to Applicants' representative during the personal interview conducted on March 24, 2008. During the interview, Applicants' representative and the Examiner discussed the outstanding Office Action. In sum, the Examiner agreed that the objection to the specification and rejections under 35 U.S.C. § 112 would be withdrawn, and the patentability arguments with respect to the art rejection presented during the interview would be considered after an official response to the Office Action was filed.

Accordingly, in view of the foregoing amendments and the following remarks, favorable consideration and withdrawal of the objection and rejections set forth in the Office Action dated February 6, 2008 are respectfully requested.

Claims 1-4, 11-14, and 19-22 are pending, of which Claims 1, 11 and 19 are independent. Claims 1-4, 11 and 19 have been amended to correct minor informalities. Therefore, Applicants submit that no new matter has been added.

The specification was objected to for failing to provide proper antecedent basis for the claimed subject matter. During the personal interview, Applicants' representative argued that the specification is not required to provide *in hac verbe* support for the claim language and that the claims need not be limited to specific examples disclosed in the specification. The Examiner agreed with Applicants' representative and indicated that this objection would be withdrawn.

Claims 1-4, 11-14 and 19-22 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, it was alleged that the recitation of "the first and second commands being used to control the specific function of the controlled

apparatus, and the control unit updates the operation panel using data to be sent from the controlled apparatus to said control apparatus in response to the second command” is confusing since it is unknown whether the first and second commands are the same command or different commands. Office Action, page 3. As discussed during the interview, by virtue of distinct recitations of first and second commands, it would be clear to one having ordinary skill in the art that these commands are different. The Examiner agreed, and, therefore, Applicants request withdrawal of this rejection.

Claims 1-4, 11-14 and 19-22 also stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, the Office Action alleges that the specification does not disclose “generates a second command if the control unit determines in accordance with the control signal that the second operating unit is operated” and “updates the operation panel using data to be sent from the control apparatus to said control apparatus in response to the second command.” Applicants respectfully disagree.

Applicants submit that the support for the above-mentioned features can be found, for example, at least on page 14, line 15 - page 15, line 3 (corresponding to [0082-0083] of the U.S. Patent Publication) and page 18, line 21 - page 19, line 24 (corresponding to [0103-0107] of the U.S. Patent Publication), and, therefore, also submit that the claims are in compliance with the written description requirement. Accordingly, Applicants request withdrawal of the rejection under 35 U.S.C. § 112, first paragraph.

Claims 1-4, 11-14 and 19-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,421,069 (*Ludtke et al.*) in view of U.S. Patent No. 6,111,569 (*Brusky et al.*) and U.S. Patent No. 5,949,351 (*Hahm*). This rejection is respectfully traversed.

Independent Claim 1 is directed to a control system having a control apparatus and a remote control device. The control apparatus includes a receiving unit and a control unit that generates a first command if the control unit determines in accordance with the control signal that the specific display element in the operation panel is operated using a first operating unit and generates a second command if the control unit determines in accordance with the control signal that the second operating unit is operated. In addition, the first command generated by the control unit is sent from the control apparatus to the controlled apparatus and the second command generated by the control unit is sent from the control apparatus to the controlled apparatus. Furthermore, the control unit updates the operation panel using data to be sent from the controlled apparatus to the control apparatus in response to the second command so as to indicate that the specific function of the controlled apparatus is controlled, if the second command is sent from the control apparatus of the controlled apparatus.

*Ludtke et al.* teaches a system of coupling devices in which self-describing information can be included with a device. As recognized in the Office Action, *Ludtke et al.* is deficient in at least a teaching of the claimed remote control device, as well as a control unit updating the operation panel. In order to compensate for these aforementioned deficiencies, the Office Action relies on the teachings of *Brusky et al.* and *Hahm*. In particular, *Brusky et al.* is relied upon for teaching the claimed remote control, and *Hahm* is relied upon for teaching the second command being generated by the control unit.

*Brusky et al.* teaches a programmable remote control (or universal remote), in which a personal computer is implemented to program the remote. *Hahm* also teaches a remote control for controlling a plurality of apparatuses. Neither *Brusky et al.* nor *Hahm*, however, is understood to teach or suggest salient features set forth in independent Claim 1, for example, the

claimed control unit, namely, one that generates a first command if the control unit determines in accordance with the control signal that the specific display element in the operation panel is operated using the first operating unit and generates a second command if the control unit determines in accordance with the control signal that the second operating unit is operated, the first and second commands being used to control the specific function of the controlled apparatus.

Therefore, Applicants submit that these citations, whether taken individually or in combination, fail to teach or suggest salient features of the present invention as recited in independent Claim 1 and request withdrawal of the rejection. Independent Claims 11 and 19 recite a related control apparatus and method, and are submitted to be patentable for reasons similar to those discussed above with respect to independent Claim 1.

In view of the foregoing, Applicants submit that independent Claims 1, 11 and 19 are patentable over the cited art. Dependent Claims 2-4, 12-14 and 20-22 are submitted to be patentable by virtue of their dependencies on an allowable claim, as well as for the additional features they recite. Individual consideration of these claims is respectfully requested.

For the foregoing reasons, Applicants submit that this case is in condition for allowance. Favorable consideration and passage to issuance is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Ann M. McCamey/

---

Ann M. McCamey  
Attorney for Applicants  
Registration No. 57,016

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

FCBS\_WS 2094423v1